

**BEFORE THE
UNITED STATES DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

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Comments of)	
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AIRPORTS COUNCIL INTERNATIONAL - NA)	
)	DOCKET: FAA-2001-9852
Notice of Alternative Policy Options for Managing)	FAA-2001-9854
Capacity Airport and Proposed Extension of the)	
Lottery Allocation)	
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**COMMENTS OF AIRPORTS COUNCIL INTERNATIONAL –
NORTH AMERICA**

Communications with respect to this document should be addressed to:

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July 12, 2001

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Airports Council International-North America (“ACI-NA”) hereby submits these comments in response to the Federal Aviation Administration’s (“FAA”) Notice of Alternative Policy Options for Managing Capacity at LaGuardia Airport and Proposed Extension of the Lottery Allocation published in the Federal Register on June 12, 2001 in the above-referenced proceeding (“LGA Notice”).¹ For the reasons set forth below, the FAA should extend the existing lottery allocation and hold an additional lottery to allocate unused capacity at LaGuardia Airport (“LGA”).

ACI-NA represents the local, regional and state governing bodies that own and operate the principal airports served by scheduled air carriers in the United States. The U.S. airport members of ACI-NA enplane more than 98 percent of the total domestic, and virtually all international, scheduled airline passenger and cargo traffic in the United States. ACI-NA’s member airports are owned and operated, in large part, by state and local governments and regional airport authorities.

The FAA seeks comment on whether to maintain the slot lottery allocation that began January 31, 2001, and whether to conduct an additional lottery to allocate certain available capacity. Although it was the FAA’s expressed intention for the slot lottery allocation to be a short-term solution, the FAA now believes that the current allocation of operational capacity should be maintained. Thus, the FAA proposes to make available the slot exemptions that were selected by air carriers through the previous lottery held on

¹ *Notice of Alternative Policy Options for Managing Capacity at LaGuardia Airport and Proposed Extension of the Lottery Allocation*, 66 Fed. Reg. 31731 (June 12, 2001).

December 4, 2000 but were not ultimately used by those air carriers. In total, there are 14 available slot exemptions.

It is obvious from the over-scheduling that precipitated the need for FAA action in November 2000 that interim limits on activity are necessary to prevent unacceptable congestion at LGA until such time as the airport operator and FAA are able to institute permanent congestion management techniques.

The interim restriction on excess flight activity at LGA has restored the airport to a lower level of congestion and very substantially reduced the chaotic and unacceptable conditions that prevailed prior to its adoption. The interim restriction also accommodates, to the maximum extent practicable, the goals established in the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century, Pub. L. No. 106-181 (April 5, 2000) (“AIR-21”) of increasing service to small communities and by new entrant carriers. It is obvious that conducting an entirely new lottery would serve no public purpose and would be unnecessarily disruptive.

The proposed extension date of October 26, 2002 should allow sufficient time to evaluate the various proposed options for longer term congestion management provided, however, that FAA does not substantially extend the comment period for the second part of its notice addressing congestion management options. ACI-NA does not feel that a substantial extension of that comment period is warranted, especially since FAA specifically requested that commenters focus on the broad public policy issues raised by the notice and set aside consideration of the current statutory, regulatory or international authority issues on which comment will be sought in a subsequent implementing notice. We urge FAA to extend the current access allocations, and reallocate any additional

available slots through a supplemental lottery. We also urge FAA to proceed expeditiously to develop a long-term congestion management solution for LGA.

For the reasons set forth above, the FAA should extend the existing lottery allocation and hold an additional lottery to allocate unused capacity at LaGuardia Airport.

Respectfully submitted,

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Date: July 12, 2001